

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



## MAIL STOP AMENDMENT

In re Patent Application of

Siu Wing Or et al.

Application No.: 10/814,265

Filing Date: April 1, 2004

Title: MAGNETOELECTRIC DEVICES AND METHODS OF USING SAME

Group Art Unit: 2834

Examiner: THANH LAM

Confirmation No.: 8106

## AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

A Petition for Extension of Time is also enclosed.

Terminal Disclaimer(s) and the  \$65.00 (2814)  \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

Also enclosed is/are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Small entity status is hereby claimed.

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the  \$35.00 (2801)  \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

Applicant(s) previously submitted \_\_\_\_\_  
\_\_\_\_\_  
on \_\_\_\_\_, for which continued examination is requested.

Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	16	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	2	MINUS 3 =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					\$ 0.00
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>\$ 0.00</b>

A check in the amount of \_\_\_\_\_ is enclosed for the fee due.

Charge \_\_\_\_\_ to Deposit Account No. 02-4800.

Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: May 23, 2005

By



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

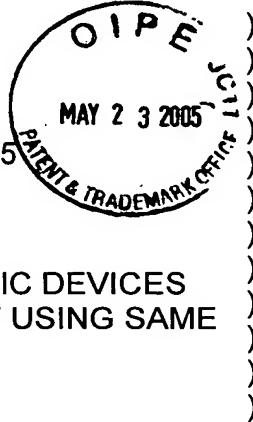
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RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 23, 2005, Applicants hereby elect the subject matter of Group I, a magnetoelectric element.

In addition to the restriction requirement, the Office Action includes an election of species requirement, and identifies each of Figures 1a-1c, 2a-2c, 3a-3g, 4a, 4b, 5a, 5b and 6 as distinct species. Applicants respectfully traverse this requirement as improper, on the grounds that these figures do not each represent a species that is mutually exclusive from all of the other identified figures. For instance, Figures 3a-3g illustrate different configurations of a magnetoresistive element that comprises a combination of one or more magnetoresistive elements as shown in Figures 1a-1c, and one or more piezoelectric elements as shown in Figures 2a-2c. Furthermore, the sensor of Figures 4a and 4b, and the transducers of Figures 5a and 5b, employ magnetoelectric elements of the types shown in Figures 3a-3g. Likewise, the multi-element device of Figure 6 includes sensors or transducers of the types shown in Figures 4a-5b.

Hence, the eighteen species set forth in the Office Action do not each represent an embodiment having features that are mutually exclusive of all of the other species. Rather, some of the species include all the features of other species. It is respectfully submitted that the identification of species, as set forth in the Office Action, is improper and the election requirement is therefore traversed.

Although the election requirement is traversed for the reasons set forth above, in order that this response be considered complete, Applicants hereby elect the species of Figure 6, since it is the most comprehensive and encompasses all of the other species. Claims 1-13 read upon the elected species, and at least claims 1-10 are generic to multiple species.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 23, 2005

By:   
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